



Docket No.: M4065.0942/P942
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Peter P. Altice, Jr. et al.

Application No.: 10/721,169

Confirmation No.: 5530

Filed: November 26, 2003

Art Unit: 2814

For: ANTI-BLOOMING STORAGE PIXEL

Examiner: L. Pham

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the election requirement, applicant hereby elects the species covered by Species V, embodiment of Fig. 9A-10B.

The Office Action has indicated at page 2 that independent "claim 1 appears to be generic [to] claims 14, 29, 39, 40 and 41," but this does not indicate which claims are generic to each species. In a telephonic interview with Examiner Pham on November 10, 2006, the Examiner indicated that all independent claims were generic to all species. Accordingly, Applicants believe that claims 1-38 and 41, reciting one of a pixel cell, a pixel sensor array and an integrated circuit are covered by Species V (Figs. 9A-10B). Additionally, given that the Office Action has indicated that claims 39 and 40 are also generic to all embodiments, Applicants submit that it would not be

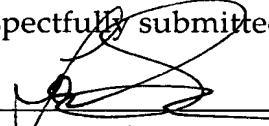
burdensome to examine all the pending claims, all of which are or depend from a generic independent claim.

Applicants' election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

Dated: December 4, 2006

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Jerome A. DeLuca

Registration No. 55,106

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicant